

PTO/SB/91 (09-03)

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	PCT/US03/00337
Filing Date	Internationally on January 7, 2003
First Named Inventor	Ehud ARBIT
Title	ORAL INSULIN THERAPY
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	817.1009US

I hereby appoint:

☒ Practitioners at Customer Number

23280

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Davidson, Davidson & Kappel, LLC				
Address	485 Seventh Avenue				
Address	14 th Floor				
City	New York	State	NY	ZIP	10018
Country	USA				
Telephone	(212) 736-1940	Fax	(212) 736-2427		

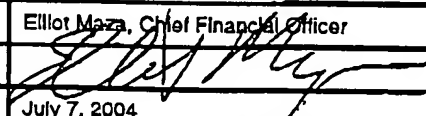
I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Elliot Maza, Chief Financial Officer		
Signature			
Date	July 7, 2004	Telephone	(914) 347-2220

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-P-T-O-9189 and select option 2.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Ehud ARBIT, Richat ABBAS, Michael GOLDBERG, T. Cooper WOODS, Steven DINH, Vivien WONGApplication No./Patent No.: PCT/US03/00337Filed/Issue Date: Internationally on January 7, 2003Entitled: ORAL INSULIN THERAPYEmisphere Technologies, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ Assignment from the inventor(s) of the following U.S. patent applications, from which priority is claimed in the patent application identified above and the assignments of which priority applications were recorded in the U.S. Patent and Trademark Office at the Reel and Frame numbers listed below:

U.S. Patent Application No. 60/346,746, the assignment of which is recorded at Reel 013587, Frame 0935;U.S. Patent Application No. 60/347,312, the assignment of which is recorded at Reel 013587, Frame 0947;U.S. Patent Application No. 60/368,617, the assignment of which is recorded at Reel 013738, Frame 0396;U.S. Patent Application No. 60/374,979, the assignment of which is recorded at Reel 013744, Frame 0748;U.S. Patent Application No. 60/389,364, the assignment of which is recorded at Reel 013588, Frame 0148;U.S. Patent Application No. 10/237,138, the assignment of which is recorded at Reel 013742, Frame 0252;

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

July 7, 2004

Date

Signature

Elliot Maza

Typed or printed name

Chief Financial Officer

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter)

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Ehud ARBIT

Residence: Tarrytown, NY NY
 (city and either US state, if applicable, or country)

Mailing Address: 765 Old Saw Mill River Road
Tarrytown, NY 10591

Citizenship: US

Inventor's Signature: Ehud ARBIT
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: May 1, 2003
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: Richat ABBAS

Residence: Mohegan Lake, NY NY
 (city and either US state, if applicable, or country)

Mailing Address: 3705 Marcy Street
Mohegan Lake, NY 10547

Citizenship: US

Inventor's Signature: Richat ABBAS
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: March 31, 2003
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Continuation of Box No. VIII (i) to (v) DECLARATION

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

Continuation of Box No. VIII (iv):

Name: Michael Goldberg
 Residence: Tarrytown, NY
 Mailing Address: 765 Old Saw Mill River Road
 Tarrytown, NY 10591
 Citizenship: US

Inventor's Signature: _____

Date: _____

2 Name: T. Cooper Woods
 Residence: New York, NY
 Mailing Address: 24 First Avenue, 2nd Floor
 New York, N.Y. 10009
 Citizenship: US

Inventor's Signature: T. Cooper WoodsDate: 1/29/2003

Name: Steven Dinh
 Residence: Tarrytown, NY
 Mailing Address: 765 Old Saw Mill River Road
 Tarrytown, NY 10591
 Citizenship: US

Inventor's Signature: _____

Date: _____

Name: Vivien Wong
 Residence: Tarrytown, NY
 Mailing Address: 765 Old Saw Mill River Road
 Tarrytown, NY 10591
 Citizenship: US

Inventor's Signature: _____

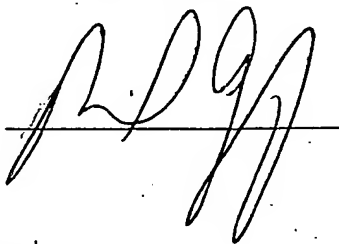
Date: _____

Continuation of Box No. VIII (i) to (v) **DECLARATION**

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

Continuation of Box No. VIII (iv):

3-00 Name: Michael Goldberg
 Residence: Tarrytown, NY NY
 Mailing Address: 765 Old Saw Mill River Road
Tarrytown, NY 10591
 Citizenship: US


Inventor's Signature: Date: 4/30/03

Name: T. Cooper Woods
 Residence: New York, NY
 Mailing Address: 24 First Avenue, 2nd Floor
New York, N.Y. 10009
 Citizenship: US

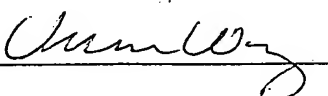
Inventor's Signature: _____

Date: _____

4-00 Name: Steven Dinh
 Residence: Tarrytown, NY NY
 Mailing Address: 765 Old Saw Mill River Road
Tarrytown, NY 10591
 Citizenship: US

Inventor's Signature: Date: April 3, 2003

5-00 Name: Vivien Wong
 Residence: Tarrytown, NY NY
 Mailing Address: 765 Old Saw Mill River Road
Tarrytown, NY 10591
 Citizenship: US

Inventor's Signature: Date: April 1, 2003